

CITY OF MILFORD
REGULAR MEETING
SEPTEMBER 13, 2016
MINUTES

The regular meeting of the Mayor and Council of the City of Milford, Nebraska resumed at 7:38 pm on the 13th day of September 2016.

CALL TO ORDER: Mayor Bruha called the meeting to order at 7:38 p.m.

ROLL CALL: Mayor Dean Bruha; Council members: Jeff Baker, Rick Fortune, Jeff Heckman, Dan Kral; Attorney Krista Carlson.

Introduction and Adoption of Resolution – Final Tax Request: Council member Baker introduced the following resolution seconded by Kral.

RESOLUTION NO. 541

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF MILFORD, NEBRASKA:

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purpose of the levy set by the County Board of Equalization unless the Governing Body of the City of Milford passes by a majority vote a resolution or ordinance setting the tax request at a different amount; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

WHEREAS, it is in the best interests of the City of Milford that the property tax request for the current year be a different amount than the property tax request for the prior year.

NOW, THEREFORE, the Governing Body of the City of Milford, by a majority vote, resolves that:

1. The 2016 – 2017 property tax request be set at:

		<u>Levy</u>
REQUIRED FOR BONDS	\$60,900	.061927
REQUIRED FOR ALL OTHER PURPOSES	\$478,339	.486402
TOTAL PROPERTY TAX REQUEST	\$539,239	.548329

2. A copy of this request be certified and forwarded to the Seward County Clerk on or before October 13, 2016.

Upon roll call vote as follows: Baker yes, Kral yes, Fortune yes, Heckman yes.
Motion carried.

Dean A. Bruha, Mayor

Jeanne Hoggins, City Clerk

(SEAL)

UNFINISHED BUSINESS:

Discuss/Action – Future Technologies, contract to place antennas on water tower for high speed internet, Jon Truell. Mr. Truell noted at the last meeting changes were going to be made to the lease that he presented and he was back to discuss those changes. Heckman researched how other companies handle tower use/rental as this is all new to this governing board. Heckman proposed a rental fee of \$1,000.00 per month. There is no way Mr. Truell could pay that amount as he only clears \$7.00 per service, per month after expenses are paid. Heckman recalled last month Future Technologies had 8,000 customer and they paid \$79.99 per month for wireless internet service. Mr. Truell quickly informed the Council the \$80.00 package was for the highest package offered. We offer a \$19.99 package and a \$34.99 package. The average subscriber pays \$34.99 per month. This information was not relayed to the Council last month. The \$1,000.00 per month was Heckman's opinion of what should be charged. Dan Kral agreed with Heckman and for less than \$1,000.00 it's really not worth obligating our water tower as well as complying with the entire request for availability. Mr. Truell mentioned the only way to make this work is to have cooperation with the community. He has been getting requests from people and was just trying to provide a service to the community. Baker mentioned last month Truell indicated other communities operate this way and Crete was one of those communities. Baker asked what Crete is paid? Mr. Truell stated \$1200.00 annually. Baker asked if Mr. Truell would be more receptive to an amount similar to Crete's payment. Baker has been approached by individuals looking for internet options. Fortune questioned the "Line of site" technology regarding receiving signal. With the new technology that Future Technologies is deploying they're hoping to have about an 80% penetration for people within 1 mile. Outside of that area it will be strictly line of site capability. Fortune also had individuals approach him about additional internet service. Mr. Truell explained the equipment being placed on the water tower is all very small and light weight. If maintenance of the water tower is needed Future Technologies is willing to remove the equipment as needed. There will be no modifications made to the tower, the equipment will just clamp on. Gary discussed the concern with maintaining the generator and having to shut down power for approximately an hour. This was not going to be a problem as F.T. has a 12 hour back-up unit. A few minor changes to the lease were discussed and they will be presented to Mr. Truell for review. A motion was made by Fortune and seconded by Baker to execute the rent portion of the agreement at \$100.00 per month for the first year and \$150.00

per month for years two (2) thru five (5). Roll call vote: Fortune yes, Baker yes, Heckman yes, Kral yes. Motion carried. Mr. Truell questioned a few items: the \$25.00 fee per item added to the tower after the initial install. Discussion of an agent from the City present while they are working on their system. Someone will be available to open and close the gate. They will never leave the area unattended.

NEW BUSINESS:

Discuss/Action – Engagement letter, Marvin E. Jewell & Co.: Carmen presented contracts for the 2017-2018 budget preparation, 2016-2017 Audit as well as the 2017-2018 Audit. Contracting two years out is as far as her peer review will allow due to continuous verbiage and guidance changes. The audit cost will remain at \$12,800.00. The budget prep service fee for this year is \$6,600.00, next year it will increase to \$6,950.00. A motion was made by Kral and seconded by Baker to accept agreements as presented. Roll call vote: Kral yes, Baker yes, Fortune yes, Heckman yes. Motion carried.

Results of well drawdown from LBG – Dane Simonsen: LBG conducted the hydrogeological report and reviewed the test well results. They looked at the well capacity and aquifer capacity for the site and it looks very good. A well at 300 gpm was very safe, which was a target number. We needed about 200 to move forward with this well. They also reviewed results as if we were pumping all the wells at one time including the Golf Course. They estimated the limit at 600gpm for 24 hours a day perpetually. LBG also recommends the size of the well, depth of screen and pump intake. This well looks a lot like well #3. Everything looks good at this site. The next step will be defining some things with Rick Fortune. Dane should have the last test results to present at our next meeting.

Discuss/Action – GIS Mapping: The City of Milford has been awarded a security grant in the amount of \$10,000.00 from DHHS. The proposal from JEO in the amount of \$11,700.00 is for Phase 1 of the Water System Mapping Updates which covers 1/3 of the community. The project will map and document the components of the municipal water system. This grant is only available every 2 years, so including the completion of this project with the water revenue bond may be considered. Dane quoted an additional \$3,000.00 to add the sanitary sewer and storm sewer to the mapping system. A motion was made by Fortune and seconded by Heckman to accept the proposal from JEO for Phase I of the water system mapping in the amount of \$11,700.00. Roll call vote: Fortune yes, Heckman yes, Baker yes, Kral yes. Motion carried.

Appointment: A motion was made by Heckman and seconded by Baker to approve the Mayor's recommendation to appoint Dee Erb to the Library

Board for a 4 year term, ending September 30, 2020. Roll call vote: Heckman yes, Baker yes, Fortune yes, Kral absent. Motion carried.

Discuss/Action – JPA Library: Fortune immediately stated “no”! George Matzen and Mayor Bruha attended the School Board meeting to listen and learn what the School District is interested in doing. They are still in the planning stages. There is concern with co-mingling public library services and school district library services. Fortune strongly suggested we present this idea to the community. George Matzen stated, should we investigate the possibilities – yes. Should we decide whether to do the project – no, there’s not enough research. Baker suggested we explore the idea with an open mind and see where it goes. The Council designated Jeff Baker and Dan Kral to serve on the committee with the School Board. Library Director George Matzen will also be included.

Introduction and Adoption of Resolution – Sr. Center Surplus Property: The following resolution was introduced by Fortune, who moved its adoption and seconded by Heckman.

RESOLUTION NO. 542

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF MILFORD, NEBRASKA:

That the following property is declared to be surplus property:

Quantity	Description
4	Wooden tables with Formica tops
10	Dark Brown tables with laminated tops
1	White Microwave
47	Metal Arm Chairs: Silver frames, grey fabric covering, wooden arms
1	Wooden display rack
1	Wooden book case/desk unit
5	Wooden rectangular tables, dual pedestal legs
1	Coat rack
2	Quilt racks: wall mounted
2	Ceiling fans: white
1	Utility sink with faucet
1	Oak Entertainment Center

and shall be offered for sale to the public by placing on Craig’s List. The amount of each item of property shall be sold to the highest bidder. Bids may be increased at any time during the auction period until the bids are closed. A copy of this Resolution shall be posted at least 7 days prior to the end of the auction at the following public places:

City Hall Office

U.S. Post Office

Farmers & Merchants Bank

The property shall be released to the highest bidder upon completion of the sale and payment for the property purchased.

Roll call vote: Fortune yes, Heckman yes, Baker yes, Kral yes. Motion carried.

Attest: _____
Jeanne Hoggins, City Clerk

Dean A. Bruha, Mayor

(SEAL)

Discuss/Action – SENDD request for membership dues, General & Housing: A motion was made by Kral and seconded by Baker to approve payment of the SENDD general membership dues of \$1,777.00. Roll call vote: Kral yes, Baker yes, Fortune yes, Heckman yes. Motion carried.

Discuss/Action – Gutter size on Crop Insurance Solutions: Heckman addressed Nick Glanzer regarding the fact that the gutters on his building at Crop Insurance Solutions are not big enough or capable of handling the water run-off during a heavy rainfall. The Sr. Center has experienced water in their stairwell and basement along the west side of the building. The City has done their due diligence and addressed all aspects of preventing any further water into the building. The Council is asking Mr. Glanzer to address the gutter size or some type of ridge on the gutter to prevent rain water from shooting over the gutter. Mr. Glanzer agreed to work with the Building Inspector to fix the issue.

Discuss/Action – Purchase agreement on property located at First & Walnut Streets: Discussion was held regarding changes to the agreement. No demolition will be allowed, of either building, until City Hall is unoccupied. The legal description of City Hall will be inserted. Attorney Carlson noted that the property under consideration is owned by “Rent Works” not the Yeackley’s, thus the agreement reflects the same. The deed and possession of City Hall and Hill’s Country Inn will be transferred at the time City Hall is vacant. The 1 year mark for demolition of these two buildings will begin at signing of the deed. Baker reflected on the City’s action to purchase Hill’s for \$50,000.00, the agreement states we will purchase the 3 vacant lots for \$75,000.00, which does not include the apartment complex, and transfer ownership of Hill’s Country Inn and City Hall to Rent Works. Bruha stated in this scenario it saves us the cost of demolishing the other two buildings at an estimated cost of \$85,000.00 plus we will not have to move twice. Baker asked if anyone had looked into comparable’s or assessed values of other properties. He shared information on the assessed value of 3 different properties at that intersection. The Coop station is assessed at \$130,000.00 at 24,500 sq. ft.; the old Coop Building owned by Wayne Hartgerink, is assessed at \$129,371.00 at 56,000 sq. ft. and sold 3 years ago for \$97,500.00; the property owned by Mayor Bruha is 14,000 sq. ft. which was purchased in 2008 for \$55,000.00 is assessed at \$78,000.00. He is questioning if the City has looked into any other

properties? Bruha mentioned, we don't know what other issues we would run into with the current site and sharing a common wall. It may run us into additional cost. With the "Rent Works" site we are getting ground that nothing has ever been built on. Baker does not object with what we are trying to do, he just wants to make sure we have explored all of our options. Fortune stated that we have two choices: either knock down the 2 building and rebuild or take this offer on the table and let him take the buildings down. Looking at any other site would still commit us to taking down the buildings. Fortune then mentioned we originally were going to take the 2 buildings down and rebuild on those lots. He doesn't believe we will have any trouble knocking the buildings down. Baker's issue is; by signing this contract we are locked into purchasing this property if the bond passes. He would like options. Hoggins mentioned that we are in the process of meeting with 2 different architectural firms to start this project. If we don't choose a site, how are they to move forward with a conceptual or presentations to the public? Baker has been saying this project needs to be a very transparent process. He is not against it; he just wants to make sure that 1.) It is in the best interest of the City. 2.) We are getting what we need, for the future. He does not want to sign this contract with someone saying it is virgin ground and then we find the unexpected. He is asking this governing body not to lock us into one decision. Heckman stated, we have to figure out where we need to go. Bruha stated, we can't keep postponing this. We have all discussed this and decided we need a new building. The public knows we need a new building. Baker suggested a conversation to see if we could get 56,000 sq. ft. We have only had 1 proposal presented to us. In the interest of deciding or postponing Kral made a motion to accept the agreement as presented and try to get the current owner to hold the available lot open for us, in accordance with the agreement as drawn. Fortune seconded the motion. Discussion: Larry TeSelle noted that he is not against this lot but there are other lots available. He is in favor of starting with a bigger lot. People are going to question why we purchased Hill's and now we are purchasing something else. Roll call vote: Kral yes, Fortune yes, Baker no, Heckman yes. Motion carried.

Discuss/Action – Option and Access Agreement thru Economic Development: Mayor Bruha explained that there is property west of Milford that could be considered for marketing purposes thru Economic Development. Attorney Carlson had concerns with the agreement presented and made a recommendation to the Council not to consider entering into anything right now. The Board is receptive to bringing in new business. The proposal needs to go to the Economic Development Committee for consideration.

ADJOURNMENT: A motion was made by Heckman and seconded by Kral to adjourn the meeting. Roll call vote: Heckman yes, Kral yes, Baker yes, Fortune yes. Motion carried and meeting adjourned at 9:42 pm.

Jeanne Hoggins, City Clerk

Dean A. Bruha, Mayor

CERTIFICATION

I, the undersigned, City Clerk of the City of Milford, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council on September 13, 2016 that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Jeanne Hoggins, City Clerk

(SEAL)